

REMARKS

Claim Amendments

Claims 194, 200, 203, 204, 208, 209, 211-218 and 220-226 are amended herein. Claims 210 and 219 have been canceled. New claims 235-253 have been added. Accordingly, upon entry of the amendments, claims 194-209, 211-218 and 220-253 are pending.

Support for these amendments can be found throughout the application as filed. No new matter has been added.

Oath

This application has been accorded Rule 1.47(a) status. *See* Decision According Status under 37 CFR 1.47(a), filed with Applicants Submission of Corrected Filing Papers on March 11, 2004. As such, Applicants have shown that the non-signing inventor has refused to join in the filing of the above-identified application.

Specification

The specification has been amended to update the status of applications and include a reference to Figures 16A and B. Applicants respectfully note a reference for Figure 3C is found in the last sentence of paragraph [0040]. Accordingly, Applicants request withdrawal of the objections to the specification.

Claim Objections

Claim 203 has been amended to recite that the nucleic acid sequences comprise an extrachromosomal element. Accordingly, Applicants request withdrawal of the objection to claim 203.

Claim Rejections - 35 U.S.C. §112, First Paragraph

Claims 194-225 stand rejected written description and scope of enablement grounds because they allegedly encompass recombinant cells expressing all heteromeric sweet taste receptors, including those which are at least 90% identical to SEQ ID NOS: 5 and 7 (encoded by SEQ ID NOS: 8 and 9), and for those which hybridize to SEQ ID NOS: 8 or 9.

As amended, the claimed recombinant cells express a heteromeric taste receptor that responds to umami taste stimuli and is comprised of at least one T1R1 polypeptide and at least one T1R3 polypeptide, wherein said T1R1 and T1R3 are encoded by specific SEQ ID NOS, encoded by nucleic acid sequences that hybridize to specific SEQ ID NOS under stringent hybridization conditions, or are amino acid sequences having at least 95% sequence identity to specific SEQ ID NOS. The claims have also been amended to delete the recitation of fragments. In light of these amendments, Applicants respectfully request withdrawal of the written description and enablement rejections.

Claim Rejections - 35 U.S.C. §112, Second Paragraph

Claims 194-234 are rejected over the phrase “and/or.” Applicants have amended the claims to delete “and/or.”

Claims 194-234 are also rejected over the phrase “activated by.” Additionally, in claims 209, 215 and 225 the Office Action asserts that “functional” does not clarify the meaning of “activated by,” nor does it provide a specific function.

Applicants have amended the claims to delete “activated by” and “functional.”

Claim 204 is rejected over the term “constitutional.” Applicants have amended this claim to recite “constitutive.”

Claims 208, 210-214, 217 and 220-224 are rejected over the phrase “contained in.” Applicants have canceled claim 210 and amended the remaining claims to change “contained in” to “of.”

Claims 209, 215, 218 and 225 are rejected over the phrase “associated with.” Applicants have amended these claims to delete “associated with.”

Claim 219 is rejected over the term “compound.” Applicants have canceled this claim.

Claims 215 and 225 are rejected over the phrase “stringency conditions.” Applicants have amended the claims to recite exact hybridization conditions as suggested in the Office Action.

Provisional Obviousness-Type Double Patenting

The Office Action provisionally rejected claims 194-234 under the judicially created doctrine of obviousness-type double patenting over claims 194-229 of co-pending Application No. 10/725,080 and claims 194-252 of co-pending Application No. 10/725,418.

Applicants respectfully request this rejection be held in abeyance until this application is condition for allowance.

CONCLUSION

It is believed that these amendments and remarks should place this application in condition for allowance. A notice to that effect is respectfully solicited. If the Examiner has any questions relating to this response or the application in general he is respectfully requested to contact the undersigned so that prosecution of this application may be expedited.

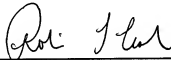
It is believed that no fees are required for entry of this response, but should any fees be necessary, the Commissioner is authorized to charge such fees to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,

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Dated: December 19, 2006

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